



04-10-03

RCE / 8  
#10 / 3700  
Jm

↑AFFIX CUSTOMER NUMBER LABEL ABOVE↑

**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. §132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA)

|                      |                |
|----------------------|----------------|
| Application No.      | 09/836,995     |
| Filing Date          | April 18, 2001 |
| First Named Inventor | Lee            |
| Group Art Unit       | 3743           |
| Examiner Name        | J. Cocks       |
| Atty Docket No.      | 0506-4021      |

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

*NOTE: 37 C.F.R. §1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. §1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.*

1. **Submission under 37 C.F.R. §1.114**

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on March 14, 2003.  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_.
- iii. ☐ Other:
- b. Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. Other:

**RECEIVED**

APR 15 2003

TECHNOLOGY CENTER R3700

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of \_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required)
- b. Other:

3. **Fees**

The RCE fee under C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 13-4500.
- i. ☐ RCE fee required under 37 C.F.R. §1.17(e) | 04/11/2003 CV0111 00000041 09836995
- ii. ☐ Extension of time fee (37 C.F.R. §§1.136 and 1.17) 01 FC:2801 375.00 OP
- iii. ☐ Other
- b. ☒ Check in the amount of \$375.00 enclosed.
- c. ☒ The Director is hereby authorized to charge any additional fees, or credit any overpayments, to Deposit Account No. 13-4500 Order No.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

|                   |                  |                       |               |
|-------------------|------------------|-----------------------|---------------|
| Name (Print/Type) | David M La Bruno | Reg. No. (Atty/Agent) | 46,266        |
| Signature         |                  | Date                  | April 9, 2003 |



Docket No. 0506-4021

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): LEE

Group Art Unit: 3743

Serial No.: 09/836,995

Examiner: J. Cocks

Filed: April 18, 2001

For: FIREPLACE GRATE

**EXPRESS MAIL CERTIFICATE**

Express Mail Label No.: **EV 245487186 US**

Date of Deposit: **April 9, 2003**

**RECEIVED**

**APR 15 2003**

**TECHNOLOGY CENTER R3700**

I hereby certify that the following attached paper(s) and/or fee

1. Request For Continued Examination
2. Check For \$375.00
3. Return Postcard

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to Commissioner for Patents, Washington, DC 20231

**David M. La Bruno**

(Typed or printed name of person mailing papers(s) and/or fee)

(Signature of person mailing paper(s) and/or fee)

**Correspondence Address:**

MORGAN & FINNEGAN, L.L.P.  
345 Park Avenue  
New York, NY 10154-0053  
(212) 758-4800 Telephone  
(212) 751-6849 Facsimile